



— State of —  
**North Dakota**  
*Office of the Governor*  
**John Hoeven**  
*Governor*

**EXECUTIVE ORDER 2002-06**

**WHEREAS**, it is essential to utilize maximum public participation to recover children in the most serious child abduction situations; and

**WHEREAS**, in child abduction circumstances, law enforcement has information available to disseminate to the general public that could assist in the safe recovery of the victim, the apprehension of the suspect, or both; and

**WHEREAS**, the Amber Alert, first created in Dallas, Texas after the murder of Amber Hagerman, a nine-year -old girl who was abducted in 1996 from her home in Arlington, Texas makes the Emergency Alert System available for use by law enforcement officials to alert the general public when a child has been abducted and is believed to be in danger; and

**WHEREAS**, the goal of the Amber Plan is to coordinate the services of government, law enforcement, and broadcasting agencies in an effort to expedite the recovery of abducted children by coercing the kidnapper to release the child for fear of being caught; and

**WHEREAS**, the Amber Plan requires law enforcement to meet certain criteria when evaluating a child abduction before activation can occur. Therefore, the Amber Alert is not activated for every abduction or custody dispute; and

**WHEREAS**, tragedies, such as those concerning 11-year-old Jeanna North of Fargo, North Dakota in 1993 inspired the Fargo Police Department to develop the Jeanna Alert; and

**WHEREAS**, nine North Dakota counties have had a fully implemented Amber Alert program for several years: Cass, Adams, Hettinger, Bowman, Slope, Golden Valley, Billings, Stark and Dunn. It has been used once in the Richardton area.

**NOW, THEREFORE**, I, JOHN HOEVEN, Governor of the State of North Dakota, by virtue of the power and authority vested in me by the Constitution and statutes of the State of North Dakota, do hereby issue this Executive Order to become effective immediately:

**IT IS ORDERED** that the Superintendent of the North Dakota Highway Patrol, in cooperation with the Division of Emergency Management and other state agencies, shall implement the use of the Emergency Alert System in the State of North Dakota.

**IT IS FURTHER ORDERED** that the Superintendent of the North Dakota Highway Patrol, in cooperation with the Division of Emergency Management and other state agencies, local law enforcement and broadcasters, shall develop policies and procedures providing instruction specifying how law enforcement agencies, broadcasters and any other intermediate emergency agencies that may institute activation of the Amber Alert shall proceed after a qualifying abduction has been reported to a law enforcement agency. Those policies and procedures shall be inserted into the North Dakota Emergency Operation Plan, and shall include, but not be limited to:

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- (1) Procedures for transfer of information regarding the abducted victim and abduction from the law enforcement agency to the broadcasters;
- (2) Specification of the event code or codes that should be used if the Emergency Alert System is activated to report a qualifying child abduction;
- (3) Recommended language for an abduction alert;
- (4) Specification of information that must be included by the reporting law enforcement agency, including which agency a person with information relating to the abduction should contact and how the person should contact the agency; and
- (5) Recommendations on the extent of the geographical area to which a child abduction emergency alert should be broadcast.

**IT IS FURTHER ORDERED** that the Superintendent of the North Dakota Highway Patrol shall see that these policies and procedures are implemented immediately and distributed to law enforcement agencies, broadcasters and intermediate agencies. The Superintendent shall also coordinate with the Office of the Governor and Division of Emergency Management to communicate the existence of this program to the public and shall report back to the Governor regarding compliance with this Order.

All State entities under the Governor's jurisdiction shall cooperate fully with the Superintendent of the North Dakota Highway Patrol and provide assistance as needed to implement this Executive Order. All other State agencies are encouraged to assist the Superintendent of the North Dakota Highway Patrol as requested to comply with the Executive Order.

This order is pursuant to Article V, Section I of the North Dakota Constitution.

**Executed at Bismarck, North Dakota this 30th day of August, 2002.**

Signed,  
John Hoeven  
Governor

Attested,  
Alvin A. Jaeger, Secretary of State  
By: Cory G. Fong, Deputy Secretary of State